

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

JOHN EGAN, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

LIVE NATION WORLDWIDE, INC.,

Defendant.

Case No. 17-cv-445-MRH

Filed Electronically

JOINT NOTICE

Pursuant to the Court's June 09, 2017 order, Plaintiff John Egan ("Plaintiff") and Defendant Live Nation Worldwide, Inc. ("Defendant") submit this joint notice and state as follows:

1. Discovery Required

A. Plaintiff

Plaintiff requires the website environment as it existed during Mr. Egan's purported 2012 and 2017 visits to Defendant's website. Specifically, Plaintiff is seeking information to understand how the website pages were rendered, specific time intervals available on each page and website navigation, breadcrumbs and accessibility options. Plaintiff seeks access to the site for a period of fourteen (14) days to review the site in the same configuration, design, website copy and architecture as it existed during Mr. Egan's purported 2012 and 2017 visits.

Plaintiff also requires a 30(b)(6) deposition regarding the website, Defendant's Terms of Use and Privacy Policy and the purported formation of a contract between Plaintiff and Defendant.

B. Defendant

If Mr. Egan is disputing that he accessed the webpages and clicked through the Terms of Use when he set up his account or bought tickets Defendant will need access to the browsing

history from the device(s) he used to access this web page and / or access to that information through cloud storage on the dates indicated in our motion where he conducted transactions with Live Nation / Ticketmaster. Defendant needs to take the depo of Mr. Egan.

2. Briefing Schedule

The parties propose the following briefing schedule to complete discovery and brief the motion to compel:

- 1) Complete discovery by August 21, 2017
- 2) Defendant to file motion to compel by September 4, 2017;
- 3) Plaintiff to file opposition to motion to compel by September 18, 2017; and
- 4) Defendant to file reply by September 25, 2017.

Dated: June 22, 2017

Respectfully submitted,

/s/ R. Bruce Carlson

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Dated: June 22, 2017

Respectfully submitted,

/s/ Gregory F. Hurley

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